



40 Broad Street, 7th Floor
New York, New York 10004
Telephone: (212) 943-9080

Jack Newhouse, Esq.
jnewhouse@vandallp.com

February 20, 2018

VIA ECF

Magistrate Judge Lois H. Goodman
United States District Court
District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Courtroom 7E
Trenton, New Jersey 08608

Re: Ruben Taveras, et al. v. McVac Environmental Services, Inc., et al.
Docket No.: 17-cv-06817 (PGS) (LHG)

Dear Magistrate Judge Goodman:

This firm is counsel to the Named Plaintiff Ruben Tavares in the above reference action. I write in response to Defendant McVac Environmental Services, Inc.'s letter filed with the Court dated February 14, 2018 (Docket No. 12).

Following the January 31, 2018 initial conference, Defendant was instructed to provide certain additional information, such as, the number of Consolidated Edison of New York, Inc. ("Con Edison") projects where Defendant performed services. Defendant's letter states that the Con Edison project at issue in this case is the "first Consolidated Edison project on which McVac ever performed any services." Defendant's representation does not indicate whether it is the **only** Con Edison projects on which Defendant furnished services.

If the Con Edison project at issue is the only project Defendant furnished services on, Plaintiff will withdraw his class claims without prejudice and proceed individually. If it is not the only Con Edison project, but merely the "first" Con Edison project, Plaintiff intends to pursue pre-class certification discovery in connection with each Con Edison project.

Thank you for your time and attention to this matter.

Sincerely,

/s/Jack L. Newhouse, Esq.

cc: Kathleen J. Collins, Esq. (via ECF)